

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


In re patent application of:	)	Before the Examiner:
B. Thomas Barker et al.	)	James L. Swiger III
	)	
Application Serial No. 10/731,210	)	Group Art Unit: 3733
	)	
Filed: December 9, 2003	)	Atty. Ref. No.: MSDI-1005
	)	/PC398.08
MULTI-AXIAL BONE	)	
SCREW ASSEMBLY	)	October 10, 2008

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action dated July 10, 2008, please consider the following amendments and remarks. Additionally, please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
October 10, 2008	_____
Date of Deposit	_____
BRAD A. SEIFERS	_____
Name of Registered Representative	_____
	_____
Signature	_____
October 10, 2008	_____
Date of Signature	_____

### **INTRODUCTORY COMMENTS**

Claims 44-52, 54-58, 70-72 and 74-77 were pending in the subject application for the non-final Office Action dated July 10, 2008. Each of the pending claims currently stands rejected. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.